3-18-05   IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Joseph S. Bieganek, Thomas R. Hetzel and Joan Padgitt
Serial No. : 10/628,890
Filed : July 28, 2003
Title : APPARATUS AND METHOD FOR EVALUATING
CLEARANCE FROM A CONTOURED SEAT CUSHION

Group Art Unit : 2859
Confirmation No. : 3853
Examiner : Yaritaz Guadalupe

RESPONSE TO SECOND OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 20, 2004, please amend the
application as set forth below in the following Two Parts of this Response.

IN THE CLAIMS:

Part 1 hereof presents the pending claims and shows their status.

REMARKS

Part 2 comments on the above amendments, and the December 20, 2004 office
action.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Joseph S. Bieganek, Thomas R. Hetzel and Joan Padgitt
Serial No.	:	10/628,890
Filed	:	July 28, 2003
Title	:	APPARATUS AND METHOD FOR EVALUATING CLEARANCE FROM A CONTOURED SEAT CUSHION

Group Art Unit	:	2859
Confirmation No.	:	3853
Examiner	:	Yaritza Guadalupe

CERTIFICATE OF MAILING BY EXPRESS MAIL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

    The undersigned hereby certifies that the attached Amendment Transmittal Letter; Amendment and Response to Second Office Action; Certificate of Mailing by Express Mail; and Return Card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EV616525736US, with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17th day of March, 2005.

3|17|05
Date

3/17/05
Date

Mailer

John R. Ley
Registration No. 27,453
ATTORNEY FOR APPLICANT

Customer No. 28785

JOHN R. LEY, LLC
5299 DTC Boulevard, Suite 610
Greenwood Village, Colorado 80111-3327
Telephone: (303) 740-9000
Facsimile: (303) 740-9042

AMENDMENT TRANSMITTAL LETTER

IN RE THE APPLICATION OF: Joseph S. Bieganek, Thomas R. Hetzel and Joan Padgitt

SERIAL NO: 10/628,890

DATE FILED: July 28, 2003

FOR : APPARATUS AND METHOD FOR EVALUATING CLEARANCE FROM A CONTOURED SEAT CUSHION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

TRANSMITTED HEREWITH IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

[X]   Amendment and Response to Second Office Action

FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING AFTER AMENDMENT		(COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY	
					RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL:	26*	-	27	0**	X $9 =	$0.00	OR	X $18 =	$0.00
INDEP:	1*	-	3	0***	X $44 =	$0.00	OR	X $88 =	$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+ $150 =		OR	+ $300 =	
ADDITIONAL FEES					TOTAL:	$0.00	OR	TOTAL:	$0.00

*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

**IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

***IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.
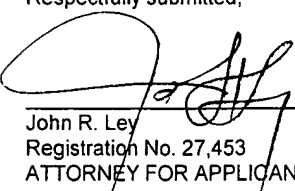

[X]   THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 12-1087. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

[X]   ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.
[X]   ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

Dated at Greenwood Village, Colorado, this 17th day of March, 2005.

Respectfully submitted,

John R. Ley
Registration No. 27,453
ATTORNEY FOR APPLICANT

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